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OCT 14 2009

UNITED STATES DISTRICT COURT
U. S. DISTRICT COURT EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT OF MO ST. LOUIS DIVISION

GENE D. BOOKER 13455)

(Enter above the full name of the
Plaintiff(s) in this action. Include prison
registration number(s).)

v.

ST. LOUIS City Police Dept.

DRAGO DANIEL M. (3870)

WUNDERLICH PAUL D. (7130)

WELCH PATRICK M. (6841)

OTOOLE LAWRENCE M. (7443)

(Enter above the full name of ALL Defend-
ant(s) in this action. Fed. R. Civ. P. 10(a)
requires that the caption of the complaint
include the names of all the parties. Merely
listing one party and "et al." is insufficient.
Please attach additional sheets if necessary.)

Case No. _____
(To be assigned by Clerk)

PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983

I. PLACE OF PRESENT CONFINEMENT:

M.S.I.

II. PREVIOUS CIVIL ACTIONS:

A. Have you brought any other civil actions in state or federal court dealing with the
same facts involved in this action or otherwise relating to your confinement?

YES []

NO [X]

B. If your answer to "A" is YES, describe the action(s) in the space below. If there is more than one action, you must describe the additional action(s) on a separate piece of paper, using the same format as below.

1. Parties to previous civil action:

Plaintiff(s):

N/A

Defendant(s):

N/A

2. Court where filed:

N/A

3. Docket or case number:

N/A

4. Name of Judge:

N/A

5. Basic claim made:

N/A

6. Present disposition (Is the case still pending? Is it closed? If closed, was it appealed?):

N/A

III. GRIEVANCE PROCEDURES:

A. Is there a prisoner grievance procedure at the institution in which you are incarcerated?

YES []

NO [X]

B. Have you presented this grievance system the facts which are at issue in this complaint?

YES []

NO [X]

C. If your answer to "B" is YES, what steps did you take: N/A

D. If your answer to "B" is NO, explain why you have not used the grievance system:

THE GRIEVANCE SYSTEM AT M.S.I. CAN ONLY BE APPLIED
TO OR FOR M.S.I.

IV. PARTIES TO THIS ACTION:

A. Plaintiff(s)

1. Name of Plaintiff: N/A

2. Plaintiff's address: _____

3. Registration number: _____

4. Additional Plaintiff(s) and address(es): _____

B. Defendant(s)

1. Name of Defendant: N/A

2. Defendant's address: _____

3. Defendant's employer and job title: _____

4. Additional Defendant(s) and address(es): _____

V. COUNSEL

A. Do you have an attorney to represent you in this action?

YES []

NO [☒]

B. If your answer to "A" is NO, have you made an effort to contact an attorney to represent you in this matter?

YES []

NO [☒]

C. If your answer to "B" is YES, state the name(s) and address(es) of the attorneys you contacted and the results of those efforts:

N/A

D. If your answer to "B" is NO, explain why you have not made such efforts:

BECAUSE I AM UNABLE TO AFFORD LEGAL COUNSEL.

E. Have you previously been represented by counsel in a civil action in this Court?

YES []

NO [☒]

F. If your answer to "E" is YES, state the attorney's name and address:

N/A

- VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

On July 31, 2009 At 9:30 pm These officers Kicked my front door open And drew their weapons, pointed them at me and commanded me to the floor. Once on the floor they placed me in cuffs and officer DANIEL DRAGO M. STRUCK ME in my right eye. Secondly officer DANIEL DRAGO M. STRUCK ME in my left ear. At that point I couldn't see 100% or hear 100%. After searching my home with NO SEARCH WARRANT officer DANIEL DRAGO M. THREATENED ME NOT to look him in the face or he would "beat my ass" again. As we proceeded out the door to get into the patrol car officer DANIEL DRAGO M. STATED "I beat your ass because you like to beat up women". Officer DANIEL DRAGO M. told me if I wanted some payday to let him know because he would be back by my home when I was released. Officers STOOLE JR LAWRENCE, WUNDERLICH PAUL, AND WELCH PATRICK stood by and let this happen to me while watching. These officers lied on the police report stating that I hit my nose on the floor causing it to bleed. I was denied medical attention and WAS NEVER READ my MIRANDA Rights. After being transported to S.L.U.C, I WAS RUSHED to BARNES Hospital with eye and ear injuries which I still suffer⁵ from. (Medical Records on file)

VII. RELIEF

State briefly and exactly what you want the Court to do for you. Do not make legal arguments. (Note: If you are a state prisoner and you seek from this Court relief that affects the length or duration of your imprisonment, your case **must** be filed on a § 2254 form.)

I would like to have my claim thoroughly EXAMINED with
the point of HAVEING my CHARGES dropped and some type
of RETROBUTION for the violation of my Civil Rights.
Most importantly I'd like to file CHARGES for the
ASSAULT I suffered by these officers.

VIII. MONEY DAMAGES:

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES ☒ NO ☐

B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

AMOUNT CLAIMED (OPEN)
REASONS BECAUSE I still suffer from the ASSAULT in form
of LACK of vision. And Emotional stress

IX. Do you claim that the wrongs alleged in the complaint are continuing to occur at the present time?

YES [] NO ☒

Gene D. Booker 13456
Signature of attorney or pro se Plaintiff(s)

10-10-09
Date